



Austin City Council MINUTES

JANUARY 28, 1993 - 1:00 P.M.

MEETING CALLED TO ORDER - 1:00 P.M.

1. Approval of Minutes for Regular Meeting of January 21, 1993 and Special Meetings of December 9, 1992 (two meetings at 4:00 p.m.), December 14, 16 and 17, 1992.

On Councilmember Garcia's motion, Councilmember Larson's second, 5-0 Vote, Councilmembers Epstein and Reynolds had not yet arrived.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Edward DiStanisloa, to discuss wrongful termination by Municipal Court Clerk, violation of Civil Rights, City's violation of Federal law, and violation of rights by City not following City policy.
3. Mr. Henry Ratliff, to discuss City difficulties.
4. Mr. Leonard Lyons, to discuss "City busyness."
Not present.
5. Mr. Tom Stiles, to discuss the Owner Controlled Insurance Program (OCIP).

TASK FORCE REPORT

6. BERGSTROM CONVERSION TASK FORCE - Mr. Jim Steed, Chair, to report on focus group meetings and other activities.

Report was received by Council.

ORDINANCES

7. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 10127-10225 Research Boulevard, Case No. C14r-85-144, from "CH", Commercial Highway to "CH-CO", Commercial Highway-Conditional Overlay, SAM'S WHOLESALE CLUB/FDIC/TEXAS COMMERCE BANK, by Bury &

Pittman. First reading on January 14, 1993; Vote 5-0, Mayor Pro Tem Urdy and Councilmember Epstein out of the room. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

Postponed to February 4, 1993

8. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property generally known as Scofield Farms located along Metric Boulevard and south of West Howard Lane, Case No. C14-92-0070, from "G0", General Office and "GR", Community Commercial to "MF-3-C0", Multifamily (medium density)-Conditional Overlay and "SF-6", Townhouse and Condominium Residence, MELLON PROPERTIES CO. (Blake Magee), by Graves, Dougherty, Hearon (R. Alan Haywood). First reading on November 5, 1992; Vote 4-0, Mayor Todd and Councilmember Epstein absent, and Councilmember Reynolds out of the room. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

Postponed to February 4, 1993

9. Amend the Austin City Code by modifying the Basic Traffic Ordinance Chapter 16-4, Speed Limits, for the extension of a 20 mph school zone on Greystone Drive in the vicinity of Doss Elementary School. (Funding in the amount of \$9,000 for flashing equipment, signs and markings is available in the 1992-93 operating budget of the Department of Public Works and Transportation.)
10. Amend the 1992-93 operating budget of the Department of Public Works and Transportation by adding four (4) full-time employees for Capital Improvement Project management services. (Funding in the amount of \$273,467 is included in various CIP Projects.)
11. Amend the 1992-93 Capital Budget by appropriating \$1,825,000 in Capital Metro Transit Authority (CMTA) 1993 Public Transportation Mobility Fund (PTMF) funds to the Public Works Capital Budget. (Recommended by Planning Commission)

#9-11 on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 Vote.

12. Amend Ordinance No. 920922-E, the 1992-93 operating budget of the Health and Human Services Department, by increasing revenues in the General Fund by \$45,252 and appropriations in the General Fund for HIV prevention and education programs; increasing the appropriation for Social Services by \$24,900, and increasing the appropriation for the Health & Human Services Department operating budget by \$30,528 and expense refunds from Travis County by \$10,176 to fund the conversion of 1.5 grant funded full-time employees (FTEs) to the General Fund (.5 FTE will be County reimbursed). [Funding in the

amount of \$45,252 from increased Sales Tax revenues and \$10,176 in reimbursements from Travis County.] (Reviewed by Community Action Network) [Related to Item 13]

RESOLUTIONS

13. Approve execution of amendments to Social Services contracts with HIV/AIDS agencies to increase the amounts by \$24,900 for HIV prevention and education programs: AIDS Services of Austin, Inc., in the amount of \$10,500 (total 107,876); Central East Austin Community Organization/Informe SIDA, in the amount of \$9,900 (total \$52,096); and People's Community Clinic, in the amount of \$4,500 (total \$27,222). [Funding provided by the 1992-93 operating budget of the Health and Human Services Department.] (Reviewed by Community Action Network) [Related to Item 12]
- #12-13 on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 Vote, Mayor Pro Tem Urdu out of the room.
14. Authorize application for and acceptance of a \$120,000 loan from the Texas Water Development Board to fund participation in the Trans-Texas Water Plan Project, in an amount up to \$120,000. (The City will repay the \$120,000 loan at no interest at the end of 10 years. Annual payments from the City amount to \$9,800 beginning in 1992-93. Funding for the first installment is available in the 1992-93 operating budget of the Water and Wastewater Department.) [Recommended by Water and Wastewater Commission] (Related to Item 15)
15. Authorize negotiation and execution of an Intergovernmental Agreement with Lavaca-Navidad River Authority, sponsor of the South Central Area Trans-Texas Water Program, and participation in the Trans-Texas Water Plan Project, in an amount up to \$120,000. (Recommended by Water and Wastewater Commission) [Funding provided by Texas Water Development Board Loan.] (Related to Item 14)
16. Approve amendment of a contract with PCA HEALTH PLANS OF TEXAS, INC. to extend the initial term of the contract from January 31, 1993 to March 31, 1993. (Extension to be funded by original contract approved by Council on April 30, 1992; original contract amount is \$400,000 - available in 1991-92 operating budget of Health and Human Services Department.)
17. Approve a contract award to KEYSTONE CONSTRUCTION, Austin, Texas, for construction of eight erosion control projects throughout the City (Fairlawn Lane, Avenue F/45th Street, Cumberland Street, Ray Avenue, Burrough Drive, West Annie Street, Grover Channel Avenue C &

D), in the amount of \$179,578. (Funding is included in the 1992-93 Capital Budget of the Drainage Utility.) Low bid of six (6). 11.14% MBE, 0.9% WBE subcontractor participation. (Reviewed by Environmental Board)

18. Approve execution of a twelve (12) month supply agreement with ROHAN COMPANY, Austin, Texas, for the purchase of approximately 1,275 water meter boxes and lids used in the installation of water services, in an amount not to exceed \$46,780, with two (2) twelve (12) month extension options, in an amount not to exceed \$46,780 per extension, for a total amount not to exceed \$140,340. (Funding in the amount of \$31,186.67 is available in the 1992-93 operating budget of the Water and Wastewater Utility; funding for the final four (4) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission) Reference No. 930082-1SH.
19. Authorize negotiation and execution of additional phases to the agreement with TURNER COLLIE & BRADEN, INC., Austin, Texas, for design phase engineering and associated services for the Govalle Wastewater Treatment Plant Dechlorination Facilities, and for construction and post-construction phase engineering and associated services for the South Austin Regional Wastewater Treatment Plant Dechlorination Facility, in the amount of \$250,000, for a total contract amount of \$518,624. (Funding is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) 10% MBE, 5% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)
20. Approve negotiation and execution of the design phase of three existing Professional Services Agreements: R.J. BRANDES COMPANY, Austin, Texas; RAYMOND CHAN AND ASSOCIATES (MBE), Austin, Texas; and GEBHARD-SARMA GROUP, INC., Austin, Texas, for erosion control improvements at Little Walnut, Tannehill Branch, Fort Branch and other creeks, in the amounts of \$300,000, \$200,000 and \$200,000 respectively, for a total amount of \$700,000. (Funding is included in the 1992-93 Capital Budget of the Drainage Utility.) M/WBE Subcontractor participation: R.J. Brandes (10/5%); Raymond Chan & Assoc. (MBE) (10/5%); and Gebhard-Sarma Group (12/5%). [Reviewed by Environmental Board]
21. Authorize and approve an escrow agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the interim relocation of water and wastewater lines on RM 2222 between Bell Mountain Drive and Jester Boulevard, in the amount of \$50,000. (Funding is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) [Recommended by Water and Wastewater Commission]

22. Approve payment of \$181,802.49 to the TEXAS DEPARTMENT OF TRANSPORTATION to complete the City of Austin's obligations for construction of the South First Street (Drake) Bridge. (Funding included in the 1991-92 Capital Budget for the Department of Public Works and Transportation.)

#14-22 on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 Vote.

23. Approve an amendment to the existing Professional Services Agreement with GILBANE BUILDING COMPANY, Houston, Texas, for increased benefits and general administrative costs, which includes (indirect) overhead expenses determined by applying a multiplier to the direct salary cost for Project Manager services related to the Austin Convention Center, in the amount of \$142,425.19, for a total contract amount of \$3,173,386.19. (Funding was included in the 1989-90 Capital Budget of the Convention Center.) [Reviewed by Economic Development Subcommittee]

On Councilmember Larson's motion, Councilmember Garcia's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

Brackenridge Hospital (Items 24-27)

24. Approve execution of a twelve (12) month supply agreement with SQUIBB DIAGNOSTICS, Princeton, New Jersey, for the purchase of dye used by Radiology during diagnostic radiologic procedures, in an amount not to exceed \$134,650.11, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$134,650.11, for a total amount not to exceed \$269,300.22. (Funding in the amount of \$100,987.58 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the final three (3) months of the original contract period and the extension option is contingent upon available funding in future budgets.) Low bid of three (3). No M/WBE subcontracting opportunities were identified. Reference No. BS2-261
25. Approve execution of a contract with ACRATOD OF AUSTIN INC., Austin, Texas, for repair of mobile file storage system track at Brackenridge Hospital, in an amount not to exceed \$48,495. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified. Reference File BH2-313.
26. Approve execution of a twelve (12) month service agreement with TRANS-MED (WBE), Austin, Texas, for medical transcription services to be used by the Medical Records Department, Specialty Care Center and Cardiology Departments of Brackenridge Hospital, in an amount not to exceed \$259,200, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not

to exceed \$259,200, for a total amount not to exceed \$518,400. (Funding for \$194,400 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the final three (3) months of the original contract period and the extension option is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

27. Approve execution of a contract with STEREOTACTIC IMAGE SYSTEMS, Salt Lake City, Utah, for the purchase of software and equipment upgrade for Brackenridge Hospital's steriotactic instrument (precisely positions probes or other devices within a patient's brain, spinal cord or other part of the nervous system to locate and mark lesions for treatment/surgical intervention), in an amount not to exceed \$43,850. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Sole Source. No M/WBE subcontracting opportunities were identified. Reference No. BH2-349.

#24-27 on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 Vote.

ITEMS FROM COUNCIL

28. Direct the City Manager to hire a consumer consultant for cost of service study on water and wastewater rates. (Councilmembers Michael "Max" Nofziger and Gus Garcia)

On Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

29. Direct the City Manager to provide a quarterly report on the financial status, including revenues and expenditures, status of current projects and projects planned for the future for the Drainage Utility. (Councilmember Ronney Reynolds and Mayor Pro Tem Charles Urdy)

On Councilmember Reynolds' motion, Councilmember Larson's second, 6-0 Vote, Councilmember Nofziger out of the room.

30. Action on the creation of Travis County MUDs 3-9 (Barton Creek Properties). (Councilmember Louise Epstein)

No action. (Councilmember Epstein made a motion to deny, but there was no second to her motion, so no action on the item.)

34. (Addendum) Approve negotiation and execution of a contract award for management/operation of the public parking concession at Robert Mueller Municipal Airport. (Mayor Pro Tem Urdy and Councilmember Garcia)

Pulled off agenda.

RECESS - Council recessed from 3:55 to 4:05 P.M., on Councilmember Garcia's motion, Councilmember Larson's second, 5-0 Vote, Councilmembers Nofziger and Reynolds out of the room.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

31. C14-92-0113 - RUTHERFORD HOUSE, by Mary Hobart Key, 2102 Nueces. From MF-4-B to MF-4. Planning Commission Recommendation: To grant MF-4, Multifamily Residence (moderate-high density).

ORDINANCE APPROVED - On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Nofziger out of the room.

To be heard by Planning Commission on January 26, 1993;
Recommendation to Follow

32. C14-85-149.100.02 - MELLON PROPERTIES CO. (Blake Magee), by Graves, Dougherty, Hearon (Wm. Terry Bray), Property generally bounded by North Lamar Boulevard, West Howard Lane and Burnet Road and Farmer Lane. Request for amendment, termination and restatement of restrictive covenant.

Postponed to February 4, 1993 at the request of the applicant.

FINAL CITIZEN COMMUNICATIONS

Fred Ebner, Robert Singleton, Al St. Louis, Ronney Reynolds

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

33. 4:30 P.M. - Approve first reading of the renewal of Gold Cross Ambulance Service, Inc. nonemergency transfer franchise. (Existing ordinance allows for the recovery of any oversight expenses up to \$5,000 per year.) [Recommended by Quality Assurance Team and Urban Transportation Commission.]

Motion

The Council, on Councilmember Garcia's motion, Councilmember Reynolds' second, closed the public hearing, 7-0 Vote.

Motion

The Council, on Councilmember Larson's motion, Councilmember Nofziger's second approved, on **FIRST READING ONLY**, staff recommendation of five years. 7-0 Vote.

Second reading of the ordinance will be on February 4, 1993, and third reading will be on March 4, 1993.

ADJOURN - The meeting was unanimously adjourned at 5:15 P.M., on Councilmember Epstein's motion, Councilmember Reynolds' second.

